

**MINUTES
BROWN COUNTY BOARD OF ZONING APPEALS
COUNTY OFFICE BUILDING
MARCH 29, 2017
WEDNESDAY, 6:00 P.M.**

ROLL CALL:

Lamond Martin, President called the meeting to order at 6:00 p.m.
Members present were: Jane Gore, Lamond Martin, Peggy Thompson, Darla Brown and John Dillberger. Also present were Christine Ritzmann, Director, Ora Roberts, Secretary and David Schilling, Attorney.

APPROVAL OF MINUTES:

Mr. Dillberger made a motion to approve the March 1, 2017 BZA minutes. Ms. Gore seconded the motion. A voice vote was taken. All were in favor.

OLD BUSINESS: There was no old business.

NEW BUSINESS:

1) 17-SE-06 NEIL PERRY (HYDRO HARVEST), PETITIONER.

The petitioner is requesting a special exception for commercial greenhouses. The property is located at 6092 State Road 135 North Jackson Township.

Ms. Ritzmann read the staff report. Mr. Dillberger asked what the pictures show. Ms. Ritzmann pointed out the house and the existing shed. Ms. Gore asked if the petitioner is going to tear the structures down. Mr. Perry conveyed that the shed will get redone and the house will be rebuilt as office space.

Mr. Martin opened the public hearing.

Those speaking in opposition: There were no speakers.

Those speaking in favor: There were no speakers.

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Mr. Martin closed the public hearing and moved the meeting back to the Board.

Ms. Thompson asked if the petitioner will have to go before the BZA when they decide to build the roadside stand. Ms. Ritzmann commented that the roadside stand is already allowed.

Mr. Dillberger made a motion to approve the petition. Ms. Gore seconded the motion. A roll call vote was taken. All were in favor. A roll call vote was taken. The motion passed with a unanimous vote of 5-0.

Darla Brown	yes	John Dillberger	yes
Jane Gore	yes	Peggy Thompson	yes
Lamond Martin	yes		

2) 17-VAR-03 GAWAIN AND KRISTIN GUY, PETITIONERS.

The petitioners are requesting a rear setback variance. The property is located at 6638 Gopher Drive in Hamblen Township.

Ms. Ritzmann read the staff report. Ms. Gore asked how many green cards were returned. Ms. Ritzmann commented that 13 of 19 green cards were returned. Mr. Martin asked if the deck was not going to be elevated but at grade below. Ms. Ritzmann commented that she is not sure but Mr. Martin can ask the petitioners.

Mr. Donnie Younger is representing the petitioners and commented that the neighbor Brad Roberts submitted a letter in favor. Ms. Gore asked if the neighbor was to the right of the petitioner shown in the picture. Mr. Younger pointed out where Mr. Roberts is located.

Mr. Dillberger asked why the petitioner wants to add the deck. Mr. Younger commented that there is no space and they want to connect the area. Mr. Younger commented that the shed will go back in the same space. Ms. Gore asked if the petitioner has to get permits from Sweetwater Conservancy. Mr. Younger explained that he does not have

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to have special permits because the proposed structure is under 120 square feet.

Mr. Martin opened the public hearing.
Those speaking in favor: There were no speakers.

Those speaking in opposition: There were no speakers.

Mr. Martin closed the public hearing and moved the meeting back to the Board.

Mr. Martin asked if the deck is going to be built at the same level as the shed. Mr. Younger replied that is correct. Ms. Gore asked if the picture is showing wood. Mr. Younger responded yes. Mr. Martin asked how many feet will the deck be from the water. Mr. Younger explained that the deck will be 4 feet from the water and the shed will be 13 feet.

Ms. Gore asked if other decks are that close. Mr. Younger showed pictures to the Board of other decks that are close to the water.

Ms. Gore made a motion to approve the petition. Ms. Brown seconded the motion. A roll call vote was taken. All were in favor. The motion passed with a 5-0 vote.

Darla Brown	yes	Peggy Thompson	yes
Jane Gore	yes	Lamond Martin	yes
John Dillberger	yes		

3) 17-VAR-04 RONALD AND ANGELA HRUBAN, PETITIONERS.

The petitioners are requesting a variance for an undersized parcel. The property is located at 9857 Short Chute Road in Jackson Township.

Ms. Ritzmann read the staff report. Mr. Dillberger asked for Ms. Ritzmann to show him the area being divided. Ms. Ritzmann showed the area being divided.

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Ms. Angela Hruban explained if they sold the home it would be a shared pond situation and the pond is 50 foot outside their back door. She explained that they want their privacy.

Mr. Martin opened the public hearing.

Those speaking in favor: There were no speakers.

Those speaking in opposition: There were no speakers.

Mr. Martin closed the public hearing and moved the meeting back to the Board.

Mr. Dillberger made a motion to approve the petition. Ms. Brown seconded the motion. A roll call vote was taken. The motion passed with a 5-0 vote.

Lamond Martin	yes	Jane Gore	yes
Darla Brown	yes	John Dillberger	yes
Peggy Thompson	yes		

4) 17-VAR-05 NEWBERT HETZLER JR., PETITIONER.

The petitioner is requesting a variance to construct a pole barn structure before the primary residence. The property is located at 5650 Three Notch Road in Hamblen Township.

Ms. Ritzmann read the staff report.

Petitioner:

Newbert Hetzler Jr. commented that he wasn't aware of the restrictions on the pole barn not being able to be constructed before the residence. Mr. Martin asked if the construction of the main residence will start this year. Mr. Hetzler Jr. replied yes.

Mr. Martin opened the public hearing.

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Those speaking in favor:

Terry Partridge is the petitioner's neighbor to the north and he wanted to show his support for this project.

Those speaking in opposition: There were no speakers.

Mr. Martin closed the public hearing and moved the meeting back to the Board.

Ms. Gore asked what would happen if the petitioner did not start building the residence. Ms. Ritzmann commented that there would only be an accessory structure on the property.

Ms. Brown made a motion to approve the petition. Mr. Dillberger seconded the motion. A roll call vote was taken. The motion passed with a 5-0 vote.

John Dillberger	yes	Jane Gore	yes
Peggy Thompson	yes	Darla Brown	yes
Lamond Martin	yes		

DISCUSSION ITEMS:

ANNOUNCEMENTS AND INSPECTORS REPORTS:

Ms. Gore commented that she has a question on the Director's report.

Ms. Gore asked if people had questions about the commercial greenhouse and was concerned if it was neighbors.

Ms. Ritzmann conveyed that the questions were mainly from business people.

Ms. Thompson asked who the Zoning Inspector was that is no longer with us. Ms. Thompson asked if that was Angie Bond. Ms. Ritzmann commented that it was and she was let go.

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ADJOURNMENT:

Mr. Dillberger made a motion to adjourn the meeting. Ms. Gore seconded the motion. The meeting was adjourned at 6:45 pm.

Lamond Martin, President

Ora Roberts, Secretary